

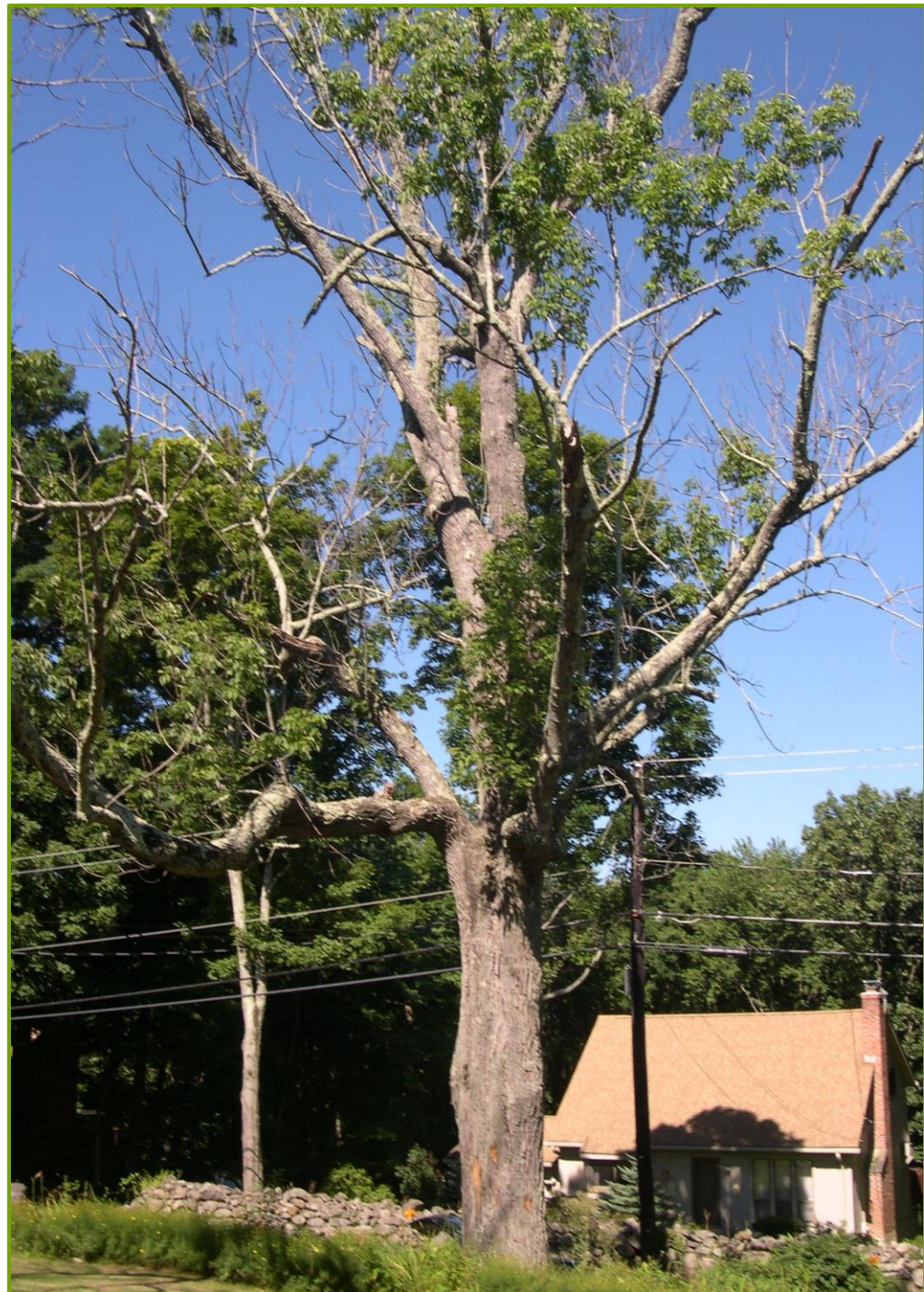


EMERALD ASH BORER

Federal Regulatory Overview

Stephen Lavallee

State Plant Health Director – VT/NH
USDA-APHIS-PPQ



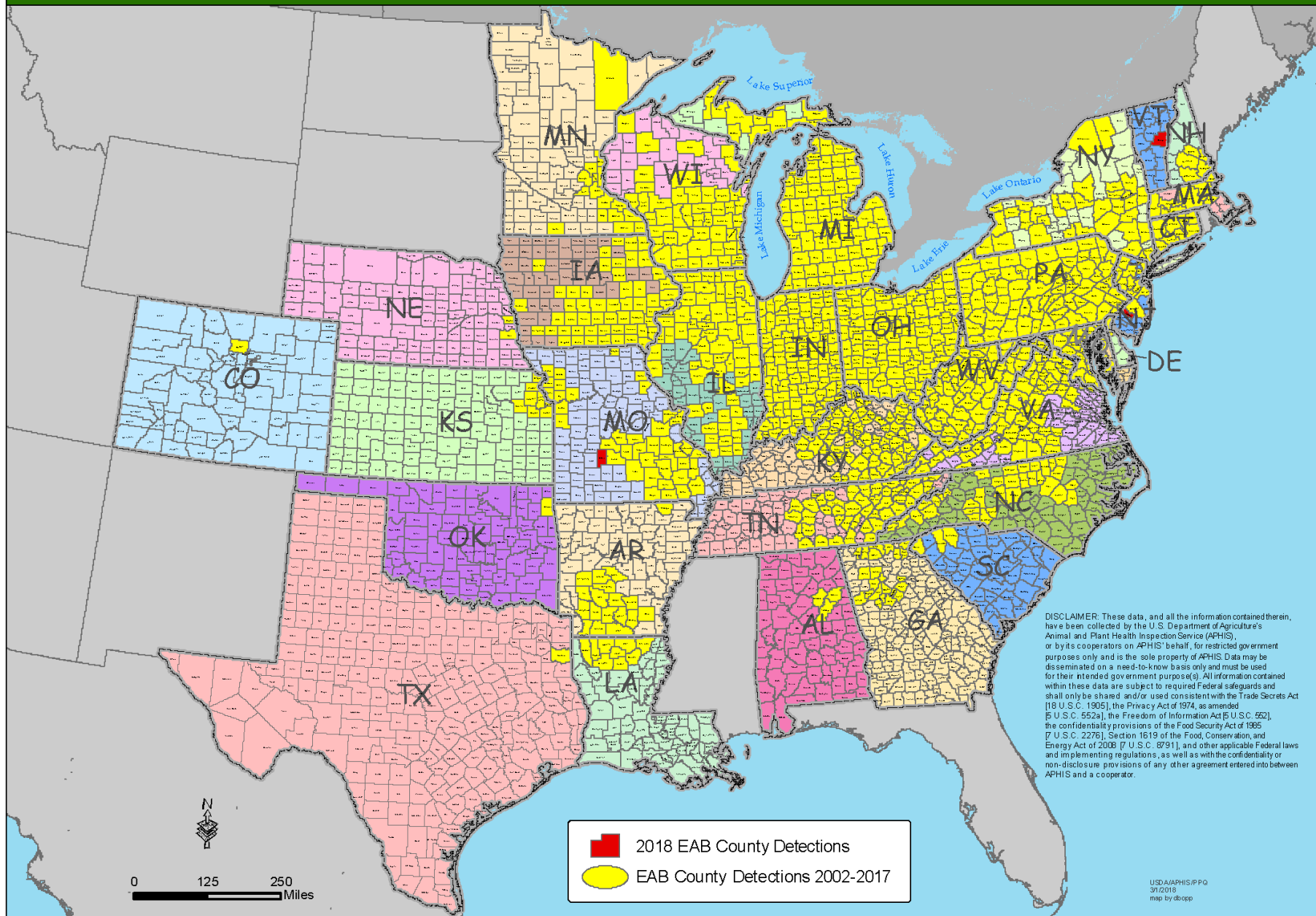


United States
Department of
Agriculture

Cooperative Emerald Ash Borer Project

EAB County Detections

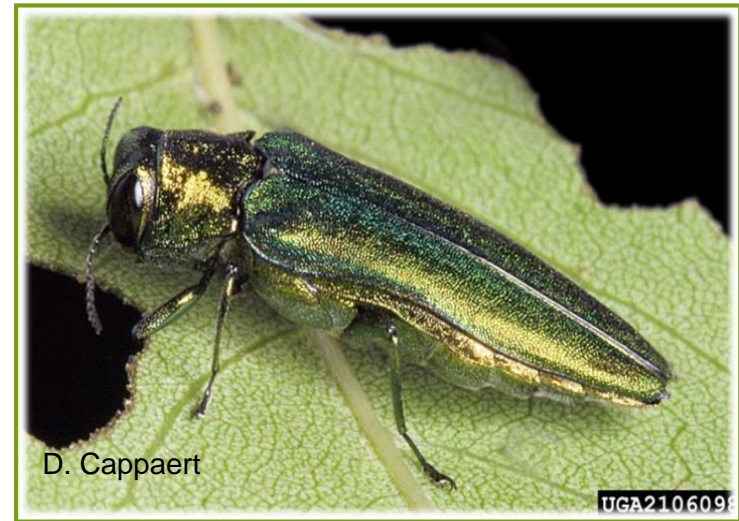
March 1, 2018





FEDERAL & STATE PARTNERS

- ❖ USDA, APHIS, Plant Protection & Quarantine
- ❖ USDA, Forest Service
- ❖ Vermont Agency of Natural Resources
- ❖ Vermont Agency of Agriculture, Markets and Food





FEDERAL REGULATORY AUTHORITIES



- ❖ The Federal Emerald Ash Borer Quarantine (7 CFR 301.53) provides the authority to conduct regulatory activities.
- ❖ The Plant Protection Act of 2000 (Statute 7 USC 7701-7758) provides authority for implementation of emergency quarantine action. This provision is for interstate regulatory action only.



COMPONENTS OF A QUARANTINE



- ◎ **Survey** – to determine extent of infestation
 - ◎ Federal/State
- ◎ **Regulatory** – to control the movement of articles that can spread the pest
 - ◎ Federal/State
- ◎ **Management** – to control the spread of the pest
 - ◎ Federal/State/Local/Private



REGULATORY WORK

- ❖ The regulatory challenge is to stop the artificial spread of EAB
- ❖ Establishment and monitoring of quarantined areas
- ❖ Issue and maintain compliance agreements, certificates and limited permits
- ❖ Outreach and Education

REGULATED ARTICLES



- ❖ All life stages of the Emerald Ash Borer.
- ❖ Hardwood firewood (non-coniferous).
- ❖ All species of *Fraxinus* (Ash)
 - Nursery Stock
 - Green lumber
 - Logs
 - Any other material living, dead, cut, or fallen, including chips, stumps, branches, roots and debris.
- ❖ Any article, product, or means of conveyance not listed above if an inspector determines that it presents a risk of spreading emerald ash borer.



MAJOR INDUSTRIES IMPACTED

- ❖ Logging/Lumber
- ❖ Nursery
- ❖ Tree work
- ❖ Firewood
- ❖ Milling and manufacturing
- ❖ Wood packing materials (WPM)
- ❖ Wood by-products



THE MOVEMENT OF REGULATED ARTICLES IN THE QUARANTINE AREA

- ❖ Regulated articles can move freely within the quarantine area.
- ❖ No compliance agreement is required.





THE MOVEMENT OF REGULATED ARTICLES OUT OF THE QUARANTINE AREA

- ❖ Regulated articles can move out of the quarantine area under certain conditions.
- ❖ Compliance agreement is required.





COMPLIANCE AGREEMENTS

- ❖ Agreement between an approved establishment and federal and state agency.
- ❖ Allows for movement of regulated articles from the quarantined area.
- ❖ Defines acceptable treatments/mitigation of regulated articles.



EAB Compliance Agreement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control numbers for this information collection are 0578-0054, 0088, 0129, 0198, 0238, 0257, 0306, 0310. The time required to complete this information collection is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED
OMB NUMBER 0578-
0054/0088/0129/0198/
0238/0257/0306/0310

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE		COMPLIANCE AGREEMENT
1. NAME AND MAILING ADDRESS OF PERSON OR FIRM		2. LOCATION
3. REGULATED ARTICLE(S) All ash (<i>Fraxinus</i> sp.) material must be processed and/or documented in accordance with Federal Emerald Ash Borer quarantine requirements before interstate transport. Regulated material includes, but is not limited to: ash nursery stock, ash logs, ash lumber, hardwood firewood (non-coniferous), ash chips/mulch, wood packing material constructed with ash.		
4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS 7 CFR 301.53 Emerald Ash Borer (<i>Agrilus planipennis</i>), State of _____ EAB Interior Quarantine		
5. I/WE AGREE TO THE FOLLOWING: This establishment will ship regulated ash material interstate from a quarantined area ONLY after applicable treatments/ mitigations are completed at the establishment's expense. Explanations and schedules are detailed in attached addendum. Regulated articles that have undergone an approved treatment or mitigating process may be shipped throughout the year. This establishment will ensure that each shipment of regulated material moved interstate is accompanied by a completed Federally issued Certificate or Federally issued Limited Permit. All Federal forms are accountable and will be handled according to USDA requirements. This establishment will handle the following regulated article(s): (check all applicable) <input type="checkbox"/> Ash logs <input type="checkbox"/> Ash lumber (green) <input type="checkbox"/> Hardwood firewood (non-coniferous) <input type="checkbox"/> Ash chips/ mulch <input type="checkbox"/> Wood packing material constructed with ash <input type="checkbox"/> Other (specify) _____ Treatment/ Mitigation (check all applicable) <input type="checkbox"/> 1. Remove the bark and an additional 1/4 inch of wood. <input type="checkbox"/> 2. Kiln sterilization <input type="checkbox"/> 3. Fumigation <input type="checkbox"/> 4. Heat Treatment <input type="checkbox"/> 5. Chip or Compost <input type="checkbox"/> 6. Safeguarding (transport) <input type="checkbox"/> 7. Facility outside of quarantine area <input type="checkbox"/> 8. ISPM-15 for ash lumber in wood packing material.		
6. SIGNATURE	7. TITLE	8. DATE SIGNED
The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.		9. AGREEMENT NO.
		10. DATE OF AGREEMENT
11. PPQ/CBP OFFICIAL (NAME AND TITLE)		12. ADDRESS
13. SIGNATURE		
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)		
15. ADDRESS		16. SIGNATURE



APPROVED REGULATORY TREATMENTS

- ❖ Remove the bark and an additional ½ inch of wood
- ❖ Kiln sterilization treatment schedule. The maximum thickness of allowable wood is three inches (time/temp/moisture content)
- ❖ Fumigate with Methyl Bromide using a USDA approved fumigator
- ❖ Heat Treatment according to schedule (140°F/60°C at core for 60 minutes). Facility must be approved by USDA.
- ❖ Chipped to less than 1" in two dimensions or follow approved USDA APHIS composting protocol.
- ❖ ISPM-15 for ash lumber in wood packing material (132.8°F/56°C for 30 minutes) via accreditation of establishment via ALSC
- ❖ Nursery Stock of Fraxinus spp.: No treatments available. Not being moved at this time.



THE MOVEMENT OF REGULATED ARTICLES FROM THE QUARANTINED AREAS TO NON-QUARANTINED AREAS

[illegible]

**An approved
treatment of the
regulated article with a
Certificate (PPQ 540).**

**Movement during
“Non-flight” season to
an approved facility
for treatment prior to
EAB adult emergence
under a Limited Permit
(PPQ 530).**

<p>No. C-39102</p> <p style="font-size: small;">Information requested is needed to determine if a permit can be issued (7 CFR 301). FORM APPROVED: OMB NOS. 0579-0088 & 0579-0123 See reverse side for additional information.</p> <p style="text-align: center;">U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE</p> <p style="text-align: center; font-weight: bold; font-size: large;">LIMITED PERMIT</p> <p>This permit authorizes the movement of the NONCERTIFIED articles described below to a specified destination for limited handling, utilization, or processing, or for treatment. The movement of such articles is regulated by Federal or State cooperative domestic plant quarantines.</p>		
1. DATE ISSUED		2. VOID AFTER
3. NAME OF CONSIGNOR		
4. SHIPPING POINT		
5. NAME AND ADDRESS OF CONSIGNEE		
6. VEHICLE LICENSE NO. & STATE		7. R.R. CAR INITIALS
8. DESCRIPTION		
A. Quantity	B. Article	C. Remarks
9. SIGNATURE OF ISSUING OFFICER		
<p>ENDORSEMENT</p> <p>The above described shipment was received by the designated consignee, and was handled in the manner approved under the provisions of all applicable Federal or State cooperative domestic plant quarantines.</p>		
10. DATE RECEIVED		
11. SIGNATURE OF DESTINATION OFFICER		
<p>PENALTY FOR MISUSE OR ALTERATION (7 USC 163)</p>		
<p>PPQ FORM 530 (FEB 2002) Previous edition dated APR 66 may be used.</p>		<p>PART 1 - CONSIGNEE'S COPY</p>

Non-flight season is Oct 1 – May 1



WHAT SHOULD I Do?

- ❖ Become familiar with the signs of EAB presence on ash trees.
- ❖ Report any suspected finds to the USDA EAB Hotline toll free

1-866-322-4512

or

vtinvasives.org

- ❖ Contact local USDA or State to apply for a compliance agreement to move regulated articles legally.
- ❖ Be especially careful when moving any firewood, logs or trees.



FOR FURTHER INFORMATION ON EAB

emeraldashborer.info
usda.aphis.gov
vtinvasives.org